

U.S. DISTRICT COURT
N.D. OF N.Y.
FILED

JUN 21 2010

LAWRENCE K. BAERMAN, CLERK
ALBANY

1 Richard-Enrique; Ulloa
2 c/o postal department 771
3 Stone Ridge, New York republic

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5 **UNITED STATES DISTRICT COURT FOR THE**
6 **NORTHERN DISTRICT OF NEW YORK**

7) CASE # 1:10-CV-00467
8 COUNTY OF ULSTER, NEW YORK) TJM/DRH

9 THE TOWN OF LLOYD, NEW YORK,)

10 TOWN OF ROSENDALE, NEW YORK,)

11 TOWN OF ULSTER, NEW YORK)

12 DARRELL DAY, EUGENE J. RIZZO,)

13 DANIEL M. MARTUSCELLO,)

14 HEATHER BLUME, ANTHONY)

15 KALIMERAS, KATHLEEN BURNS)

16 JEFF COHEN, DAVID M. ACKERT,)

17 AMY SHUMAN, ROBERT VOSPER,)

18 JOSHUA CALIENDO, BEATRICE)

19 HAVRANEK, EILEEN B. KATASKY)

20 NINA POSUPACK, NEREIDA VEYTIA)

21) MOTION TO RECONSIDER
22) JUDGES ORDER FOR TIME
23) EXTENSION FOR GENERAL
24) ORDER #14

25 Plaintiffs,

26 -against-

27 RICHARD ENRIQUE ULLOA, SARA)
28 ULLOA, JEFFREY-CHARLES)
BURFEINDT, ED-GEORGE)
PARENTEAU, RAYMOND)
TOMKINS, KATERINE A. CAIRO)
DAVIS, KATHY STEINHILBER,)

Defendants)

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30 **MOTION TO RECONSIDER JUDGES ORDER FOR TIME EXTENSION OF**
31 **GENERAL ORDER #14**

Comes now Richard-Enrique; Ulloa, by special visitation and not appearing generally, before this court seeking a remedy, by "The Saving to the Suitors Clause" at USC 28 -1333(1). I respectfully request the indulgence of this court as I am not schooled in law. This is provided by the precedent set by Haines vs. Kerner at 404 U.S. 519

I submit this Motion to Reconsider in order to strike and or invalidate from the record, Docket #4 and #5 of this case, due to the fact that this document was not in the proper form of a motion, no notice of motion was ever created or served, no motion created or served, an no Memorandum of Law was created or entered into the record, and the “pretend” motion/letter was NEVER served on defense, and

The General Order #14 or Local Rule 9.2 allows the extension of time based on the service or non service of the Defendants. The time limit set of 30 days is not based on the parties being served, and

I demand that the letter in docket numbers #4 and #5, be stricken from the record as it is not in proper form and reason provided by the plaintiff's attorney, is not based on any rule, local rule or case law, and is in improper form violating Federal Rules 7 and 10, and Local Rule 10.1.

Local Rule 9.2 and 18 U.S.C. § 1961, clearly states that “the party asserting such a claim shall file a RICO statement within thirty (30) days of the filing of the pleading containing such a claim”, it does not allow for extension of time due to a service issue on the plaintiff’s, nor does it state that an EX PARTE letter can be submitted as a substitute for a Motion paper, in the proper form as described in Local Rule 10.1, as a matter of law this Complaint should be dismissed.

I pray to our Heavenly Father and not this court that justice be done.

Richard-Enrique; Ulloa

Date: June 18, 2010

Proof and Evidence of Service

I, Richard-Enrique; Ulloa: declare that I served by filing one copy of the "MOTION TO RECONSIDER" by "hand-delivered by private carrier-service on "USDC of Northern NY" sent by post-office-first class-mail AND OR CERTIFIED MAIL to the following:

BAILEY, KELLEHER & JOHNSON, P.C	USDC OF NORTHERN NY
JOHN W. BAILEY	COURT CLERK
5 PINE WEST PLAZA, SUITE 507	445 Broadway, Room 509
ALBANY, NEW YORK 12205	ALBANY, NEW YORK 12207
First class mail	First class mail

Richard-Enrique; Ulloa

June 18, 2010

NOTICE TO THE AGENT IS NOTICE TO THE PRINCIPAL NOTICE TO
THE PRINCIPAL IS NOTICE TO THE AGENT